

ESTTA Tracking number: **ESTTA278259**

Filing date: **04/15/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91184213
Party	Plaintiff Galaxy Metal Gear, Inc.
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Submission	Motion to Extend
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Signature	/Kenneth Tanji, Jr./
Date	04/15/2009
Attachments	galaxy-withdraw mot discovery.pdf ( 2 pages )(125345 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No.: 78914975

Filed: 6/22/2006

Mark: METAL GEAR

GALAXY METAL GEAR, INC.,

Opposer,

vs.

DIRECT ACCESS TECHNOLOGY, INC.

Applicant.

Opposition No.: 91184213

Action filed: May 20, 2008

OPPOSER'S NOTICE OF WITHDRAWAL  
OF MOTION FOR REQUEST FOR  
DISCOVERY TO RESPOND TO  
SUMMARY JUDGMENT

**OPPOSER'S NOTICE OF WITHDRAWAL OF MOTION FOR REQUEST FOR  
DISCOVERY TO RESPOND TO SUMMARY JUDGMENT**

Opposer Galaxy Metal Gear, Inc., having reconsidered its motion to request discovery regarding the Summary Judgment of Applicant Direct Access Technology, Inc. to permit the deposition of Gary Chen to take place, hereby WITHDRAWS this motion. Opposer will stand by its previously filed opposition to the motion for Summary Judgment without taking the deposition of Gary Chen.

**Dated:** April 15, 2009

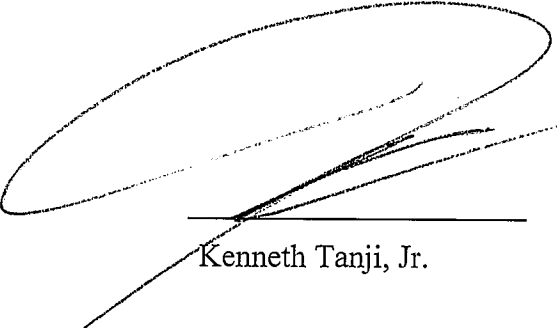
Respectfully submitted,

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## CERTIFICATE OF SERVICE

The undersigned Attorney hereby certifies that a true copy of the foregoing  
OPPOSER'S NOTICE OF WITHDRAWAL OF MOTION FOR REQUEST FOR  
DISCOVERY TO RESPOND TO SUMMARY JUDGMENT was served by depositing a  
copy of same in the United States mail, first class postage prepaid, to the following  
address on April 15, 201.

Michael Olson, Esq.  
Law Office of Michael C. Olson  
1400 Bristol St. N.  
Suite 270  
Newport Beach, CA 92660



Kenneth Tanji, Jr.